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APRIL 20, 1999

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APR 20 1999
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Magalie R. Salas, Esq.
Secretary
Federal Communications Commission
1919 M St., NW, Room 222
Washington, DC 20554

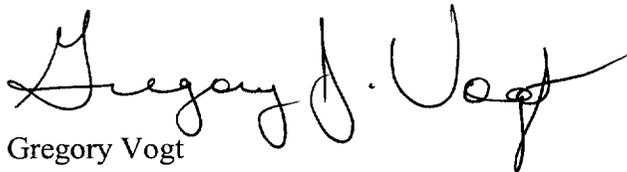
Re: Ex Parte Presentation regarding Public Notice requesting updated
comments in CC Docket Nos. 96-262 and 94-1

Dear Ms. Salas:

I have enclosed, pursuant to the Commission's ex parte rules at 47 C.F.R. § 1.1206(a)(1) and § 1.1206(b)(1), an article sent to the persons designated in the attached letters and related to the above-captioned proceedings.

Please let me know if you have any questions.

Sincerely,



Gregory Vogt

Enclosures: "Cap-Sized: How the Promise of the Price Cap Voyage to Competition Was
Lost in a Sea of Good Intentions" (2 copies).
Cover letters to 22 FCC staff members (2 copies).

No. of Copies rec'd at 1
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April 6, 1999

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Mr. Tom Power
Federal Communications Commission
445-12th Street, S.W.
Room 8B201L
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange Carriers

Dear Mr. Power:

I thought you would be interested in the attached law review article, "Cap-sized: How the Promise of the Price Cap Voyage to Competition Was Lost in a Sea of Good Intentions," published in the March 1999 edition of the Federal Communications Law Journal. The article explores the history of price cap regulation as applied to local exchange carriers and points out both the positive and negative developments along the road to implementation. The article also proposes some specific steps the Commission could take to address some of the negative developments in price cap implementation.

Since the article includes a discussion of several open rulemaking proceedings, I have included a copy of the article in those dockets as required by the Commission's permit but disclose *ex parte* rules.

I hope you find the article useful. Maybe it is a bit much to expect that such an arcane subject might also be interesting. I welcome any comments or questions you might have on the article.

Sincerely,



Gregory J. Vogt

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GREGORY J. VOGT
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April 6, 1999

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Mr. Kevin Martin
Federal Communications Commission
445-12th Street, S.W.
Room 8A302E
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange Carriers

Dear Mr. Martin:

I thought you would be interested in the attached law review article, "Cap-sized: How the Promise of the Price Cap Voyage to Competition Was Lost in a Sea of Good Intentions," published in the March 1999 edition of the Federal Communications Law Journal. The article explores the history of price cap regulation as applied to local exchange carriers and points out both the positive and negative developments along the road to implementation. The article also proposes some specific steps the Commission could take to address some of the negative developments in price cap implementation.

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April 6, 1999

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Mr. Kyle Dixon
Federal Communications Commission
445-12th Street, S.W.
Room 8A204E
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange Carriers

Dear Mr. Dixon:

I thought you would be interested in the attached law review article, "Cap-sized: How the Promise of the Price Cap Voyage to Competition Was Lost in a Sea of Good Intentions," published in the March 1999 edition of the Federal Communications Law Journal. The article explores the history of price cap regulation as applied to local exchange carriers and points out both the positive and negative developments along the road to implementation. The article also proposes some specific steps the Commission could take to address some of the negative developments in price cap implementation.

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April 6, 1999

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Ms. Linda Kinney
Federal Communications Commission
445-12th Street, S.W.
Room 8B115D
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange
Carriers

Dear Ms. Kinney:

I thought you would be interested in the attached law review article, "Cap-sized: How the Promise of the Price Cap Voyage to Competition Was Lost in a Sea of Good Intentions," published in the March 1999 edition of the Federal Communications Law Journal. The article explores the history of price cap regulation as applied to local exchange carriers and points out both the positive and negative developments along the road to implementation. The article also proposes some specific steps the Commission could take to address some of the negative developments in price cap implementation.

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April 6, 1999

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Mr. Larry Strickling
Federal Communications Commission
445-12th Street, S.W.
Room 5C450
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange Carriers

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I thought you would be interested in the attached law review article, "Cap-sized: How the Promise of the Price Cap Voyage to Competition Was Lost in a Sea of Good Intentions," published in the March 1999 edition of the Federal Communications Law Journal. The article explores the history of price cap regulation as applied to local exchange carriers and points out both the positive and negative developments along the road to implementation. The article also proposes some specific steps the Commission could take to address some of the negative developments in price cap implementation.

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April 6, 1999

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Ms. Jane Jackson
Federal Communications Commission
445-12th Street, S.W.
Room 5A207
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange Carriers

Dear Ms. Jackson:

I thought you would be interested in the attached law review article, "Cap-sized: How the Promise of the Price Cap Voyage to Competition Was Lost in a Sea of Good Intentions," published in the March 1999 edition of the Federal Communications Law Journal. The article explores the history of price cap regulation as applied to local exchange carriers and points out both the positive and negative developments along the road to implementation. The article also proposes some specific steps the Commission could take to address some of the negative developments in price cap implementation.

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April 6, 1999

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Mr. Steve Spaeth
Federal Communications Commission
445-12th Street, S.W.
Room 5A207
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange Carriers

Dear Mr. Spaeth:

I thought you would be interested in the attached law review article, "Cap-sized: How the Promise of the Price Cap Voyage to Competition Was Lost in a Sea of Good Intentions," published in the March 1999 edition of the Federal Communications Law Journal. The article explores the history of price cap regulation as applied to local exchange carriers and points out both the positive and negative developments along the road to implementation. The article also proposes some specific steps the Commission could take to address some of the negative developments in price cap implementation.

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Mr. Ken Moran
Federal Communications Commission
445-12th Street, S.W.
Room 1600E
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange Carriers

Dear Mr. Moran:

I thought you would be interested in the attached law review article, "Cap-sized: How the Promise of the Price Cap Voyage to Competition Was Lost in a Sea of Good Intentions," published in the March 1999 edition of the Federal Communications Law Journal. The article explores the history of price cap regulation as applied to local exchange carriers and points out both the positive and negative developments along the road to implementation. The article also proposes some specific steps the Commission could take to address some of the negative developments in price cap implementation.

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Sincerely,

A handwritten signature consisting of a vertical line on the left, a stylized 'S' in the middle, and another vertical line on the right.

Gregory J. Vogt

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April 6, 1999

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Mr. Anthony Busch
Federal Communications Commission
445-12th Street, S.W.
Room 8B428
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange Carriers

Dear Mr. Busch:

I thought you would be interested in the attached law review article, "Cap-sized: How the Promise of the Price Cap Voyage to Competition Was Lost in a Sea of Good Intentions," published in the March 1999 edition of the Federal Communications Law Journal. The article explores the history of price cap regulation as applied to local exchange carriers and points out both the positive and negative developments along the road to implementation. The article also proposes some specific steps the Commission could take to address some of the negative developments in price cap implementation.

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April 6, 1999

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Mr. Mark Uretsky
Federal Communications Commission
445-12th Street, S.W.
Room 0800A1
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange Carriers

Dear Mr. Uretsky:

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April 6, 1999

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Mr. Rich Lerner
Federal Communications Commission
445-12th Street, S.W.
Room 5A207
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange
Carriers

Dear Mr. Lerner:

I thought you would be interested in the attached law review article, "Cap-sized: How the Promise of the Price Cap Voyage to Competition Was Lost in a Sea of Good Intentions," published in the March 1999 edition of the Federal Communications Law Journal. The article explores the history of price cap regulation as applied to local exchange carriers and points out both the positive and negative developments along the road to implementation. The article also proposes some specific steps the Commission could take to address some of the negative developments in price cap implementation.

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April 6, 1999

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Mr. Len Smith
Federal Communications Commission
445-12th Street, S.W.
Room 5A207
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange Carriers

Dear Mr. Smith:

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April 6, 1999

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Ms. Judy Nitsche
Federal Communications Commission
445-12th Street, S.W.
Room 5A207
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange
Carriers

Dear Ms. Nitsche:

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April 6, 1999

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Dr. Robert Pepper
Federal Communications Commission
445-12th Street, S.W.
Room 8A422
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange Carriers

Dear Dr . Pepper:

I thought you would be interested in the attached law review article, "Cap-sized: How the Promise of the Price Cap Voyage to Competition Was Lost in a Sea of Good Intentions," published in the March 1999 edition of the Federal Communications Law Journal. The article explores the history of price cap regulation as applied to local exchange carriers and points out both the positive and negative developments along the road to implementation. The article also proposes some specific steps the Commission could take to address some of the negative developments in price cap implementation.

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April 6, 1999

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Mr. Yog Varma
Federal Communications Commission
445-12th Street, S.W.
Room 5C325
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange Carriers

Dear Mr. Varma:

I thought you would be interested in the attached law review article, "Cap-sized: How the Promise of the Price Cap Voyage to Competition Was Lost in a Sea of Good Intentions," published in the March 1999 edition of the Federal Communications Law Journal. The article explores the history of price cap regulation as applied to local exchange carriers and points out both the positive and negative developments along the road to implementation. The article also proposes some specific steps the Commission could take to address some of the negative developments in price cap implementation.

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April 6, 1999

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Ms. Carol Matthey
Federal Communications Commission
445-12th Street, S.W.
Room 5B125
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange Carriers

Dear Ms. Matthey:

I thought you would be interested in the attached law review article, "Cap-sized: How the Promise of the Price Cap Voyage to Competition Was Lost in a Sea of Good Intentions," published in the March 1999 edition of the Federal Communications Law Journal. The article explores the history of price cap regulation as applied to local exchange carriers and points out both the positive and negative developments along the road to implementation. The article also proposes some specific steps the Commission could take to address some of the negative developments in price cap implementation.

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April 6, 1999

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Mr. Don Stockdale
Federal Communications Commission
445-12th Street, S.W.
Room 5C354
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange Carriers

Dear Mr. Stockdale:

I thought you would be interested in the attached law review article, "Cap-sized: How the Promise of the Price Cap Voyage to Competition Was Lost in a Sea of Good Intentions," published in the March 1999 edition of the Federal Communications Law Journal. The article explores the history of price cap regulation as applied to local exchange carriers and points out both the positive and negative developments along the road to implementation. The article also proposes some specific steps the Commission could take to address some of the negative developments in price cap implementation.

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The Honorable Susan Ness
Federal Communications Commission
445-12th Street, S.W.
Room 8B115H
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange Carriers

Dear Commissioner Ness:

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The Honorable William Kennard
Federal Communications Commission
445-12th Street, S.W.
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The Honorable Harold Furchtgott-Roth
Federal Communications Commission
445-12th Street, S.W.
Room 8A302C
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange
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Dear Commissioner Furchtgott-Roth:

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Sincerely,



Gregory J. Vogt

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The Honorable Gloria Tristani
Federal Communications Commission
445-12th Street, S.W.
Room 8C302
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange Carriers

Dear Commissioner Tristani:

I thought you would be interested in the attached law review article, "Cap-sized: How the Promise of the Price Cap Voyage to Competition Was Lost in a Sea of Good Intentions," published in the March 1999 edition of the Federal Communications Law Journal. The article explores the history of price cap regulation as applied to local exchange carriers and points out both the positive and negative developments along the road to implementation. The article also proposes some specific steps the Commission could take to address some of the negative developments in price cap implementation.

Since the article includes a discussion of several open rulemaking proceedings, I have included a copy of the article in those dockets as required by the Commission's permit but disclose *ex parte* rules.

I hope you find the article useful. Maybe it is a bit much to expect that such an arcane subject might also be interesting. I welcome any comments or questions you might have on the article.

Sincerely,



Gregory J. Vogt